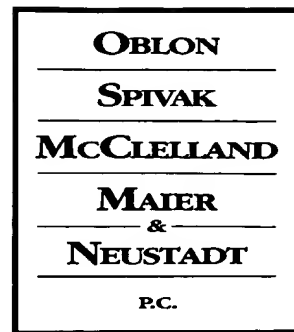




Docket No.: 214149US99M CONT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 09/095,325  
Applicants: Gene EGGLESTON, et al.  
CPA Filed: September 18, 2001  
For: METHOD AND APPARATUS FOR RATE  
GOVERNING COMMUNICATIONS  
Group Art Unit: 2152  
Examiner: CARDONE, J. D.

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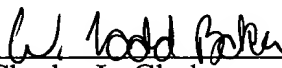
Attached hereto for filing are the following papers:

**STATUS OF RELATED APPLICATION**  
**COPY OF THE IDS/PTO-1449 FILED IN RELATED APPLICATION**  
**COPY OF REFERENCE: Air Mobile Wireless Communication Guide....**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Charles L. Gholz

Registration No. 26,395



22850

(703) 413-3000 (phone)  
(703) 413-2220 (fax)

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W. Todd Baker  
Registration No. 45,265



DOCKET NO.: 214149US99M CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
GENE EGGLESTON, ET AL. : EXAMINER: CARDONE, J. D.  
SERIAL NO: 09/095,325 :  
CPA : GROUP ART UNIT: 2152  
FILED: SEPTEMBER 18, 2001  
FOR: METHOD AND APPARATUS FOR :  
RATE GOVERNING  
COMMUNICATIONS

STATUS OF RELATED APPLICATION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

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Claims 34, 35, 37-40, and 43 of related application serial No. 09/685,832 to Adler et al. stand rejected under 35 USC 102(b) as being anticipated by Air Mobile Wireless Communication Client Guide for cc: Mail User Guide, Version 1.0. Motorola Wireless Data Group, 1995. That reference was disclosed in the '832 application via an Information Disclosure Statement (IDS) filed on December 23, 2002. A copy of that IDS and a copy of that reference are attached hereto.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Charles L. Gholz  
Registration No. 26,395  
W. Todd Baker  
Registration No. 45,265



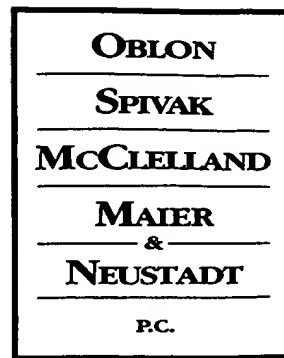
22850

Tel.: (703) 413-3000  
Fax: (703) 413-2220



**COPY**

Docket No.: 212533US99M CONT



ATTORNEYS AT LAW

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/645,832  
Applicants: Alfred ADLER, et al.  
Filing Date: August 25, 2000  
For: COMMUNICATIONS SYSTEM WITH RADIO  
DEVICE AND SERVER  
Group Art Unit: 2731  
Examiner: Edelman

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Attached hereto for filing are the following papers:

**Information Disclosure Statement**

**PTO-1449**

**265 Cited References**

Our check in the amount of \$180.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*W. Todd Baker*

Charles L. Gholz

Registration No. 26,395



22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)

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W. Todd Baker

Registration No. 45,265

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Alfred ADLER, et al.

SERIAL NO: 09/645,832

GAU: 2731

FILED: August 25, 2000

EXAMINER: Edelman

FOR: COMMUNICATIONS SYSTEM WITH RADIO DEVICE AND SERVER

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

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WASHINGTON, D.C. 20231

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SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*W. Todd Baker*

Charles L. Gholz

Registration No. 26,395



**22850**

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212533US

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09/645,832

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

ADLER Alfred et al.

FILING DATE

August 25, 2002

GROUP

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,313,582	5/1994	Hendel et al.			
	AB	5,392,390	2/1995	Crozier			
	AC	5,416,473	5.1995	Dulaney, III et al.			
	AD	5,416,842	5/1995	Aziz			
	AE	5,487,100	1/1996	Kane			
	AF	5,495,484	2/1996	Self et al.			
	AG	5,503,054	2/1997	Theimer et al.			
	AH	5,613,108	3/1997	Morikawa			
	AI	5,666,553	9/1997	Crozier			
	AJ	5,673,322	9/1997	Pepe et al.			
	AK	5,706,211	1/1998	Beletic et al.			
	AL	5,737,531	4/1998	Ehley			
	AM	5,745,689	4/1998	Yeager et al.			
	AN	5,751,960	5/1998	Matsunaga			
	AO	5,754,954	5/1998	Cannon et al.			
	AP	5,790,974	8/1998	Tognazzini			
	AQ	5,819,284	10/1998	Falber et al.			
	AR	5,838,252	11/1998	Kikinis			
	AS	5,889,845	3/1999	Staples et al.			
	AT	5,941,954	8/1999	Kalajan			
	AU	5,941,956	8/1999	Shirakihara et al.			
	AV	5,948,066	9/1999	Whalen et al.			
	AW	5,964,833	10/1999	Kikinis			
	AX	5,978,837	11/1999	Foladare et al.			
	AY	5,987,508	11/1999	Agraharam et al.			
	AZ	5,995,597	11/1999	Woltz et al.			
	AAA	6,018,762	1/2000	Brunson et al.			
	AAB	6,023,700	2,2000	Owens et al.			
	AAC	6,035,104	3/2000	Zahariev			
	AAD	6,052,563	4/2000	Macko			
	AAE	6,073,165	6/2000	Narasimhan et al.			
	AAF	6,084,969	7/2000	Wright et al.			
	AAG	6,085,231	7/2000	Agraharam et al.			
	AAH	6,128,739	20/2000	Fleming, III			
	AAI	6,134,432	10,2000	Holmes et al.			
	AAJ	6,138,146	10,2000	Moon et al.			
	AAK	6,144,671	11/2000	Perinpanathan et al.			
	AAL	6,154,839	11/2000	Arrow et al.			
	AAM	5,604,788	2/1997	Tett			
	AAN	5,630,060	5/1997	Tang et al.			
	AAO	5,638,450	6/1997	Robson			
	AAP	5,781,614	7/1998	Brunson			

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## LIST OF REFERENCES CITED BY APPLICANT

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ADLER Alfred et al

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	AAQ	5,844,969	12/1998	Goldman et al.			
	AAR	5,905,777	5/1999	Foladare et al.			
	AAS	5,937,161	8/1999	Mulligan et al.			
	AAT	5,961,590	10/1999	Mendez et al.			
	AAU	5,974,180	10/1999	Schwendeman			
	AAV	5,983,073	11/1999	Ditzik			
	AAW	6,163,274	12/2000	Lindgren			
	AAZ	5,822,434	10/1998	Caronni et al.			
	ABA	5,960,486	9/1999	Rasansky et al.			
	ABC	6,014,429	1/2000	LaPorta et al.			
	ABD	6,016,478	1/2000	Zhang et al.			
	ABE	6,078,921	6/2000	Kelley			
	ABG	6,138,089	10/2000	Guberman			
	ABH	6,222,942	4/2001	Martin			
	ABI	6,327,046B1	12/2001	Miyamoto et al.			
	ABJ	6,332,56B1	12/2001	Cho et al.			
	ABK	6,363,352B1	3/2002	Bailey et al.			
	ABL	6,370,566B2	4/2002	Discolo et al.			
	ABM	2002/0010748A1	1/2002	Kobayashi et al.			
	ABN	4,106,060	8/1978	Chapman, Jr.			
	ABO	4,438,433	3/1984	Smoot et al.			
	ABP	4,695,880	9/1987	Johnson et al.			
	ABQ	4,697,281	9/1987	O'Sullivan			
	ABR	4,713,780	12/1987	Schultz et al.			
	ABS	4,837,798	6/1989	Cohen et al.			
	ABT	4,837,800	6/1989	Freeburg et al.			
	ABU	4,856,047	8/1989	Saunders			
	ABV	4,928,096	5/1990	Leonardo et al.			
	ABW	4,951,044	8/1990	Nelson et al.			
	ABX	4,980,907	12/1990	Raith et al.			
	ABY	5,008,926	4/1991	Misholi			
	ABZ	5,043,721	8/1991	May			
	ACA	5,086,502	2/1992	Malcolm			
	ACB	5,125,021	6/1992	Lebowitz			
	ACC	5,127,041	6/1992	O'Sullivan			
	ACD	5,136,291	8/1992	Teague			
	ACE	5,157,660	10/1992	Kuwahara et al.			
	ACF	5,159,592	10/1992	Perkins			
	ACG	5,177,680	1/1992	Tsukino et al.			
	ACH	5,181,200	1/1993	Harrison			
	ACI	5,265,033	11/1993	Vajk et al.			
	ACJ	5,283,887	2/1994	Zachery			

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SERIAL NO.  
09/645,832

LIST OF REFERENCES CITED BY APPLICANT

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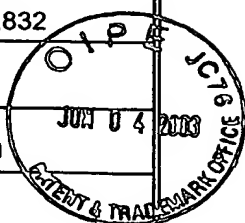
ADLER Alfred et al

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August 25, 2002

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	ACK	5,293,250	3/1994	Okumura et al.			
	ACL	5,299,255	3/1994	Iwaki et al.			
	ACM	5,307,059	4/1994	Connary et al.			
	ACN	5,315,635	5/1994	Kane et al.			
	ACO	5,333,152	7/1994	Wilber			
	ACP	5,333,266	7/1994	Boaz et al.			
	ACQ	5,406,557	4/1995	Baudoin			
	ACR	5,418,543	4/1995	Seitz et al.			
	ACS	5,452,336	9/1995	Albert			
	ACT	5,493,692	2/1996	Theimer et al.			
	ACU	5,559,800	9/1996	Mousseau et al.			
	ACV	5,572,528	11/1996	Shuen			
	ACW	5,579,472	11/1996	Keyworth, II et al.			
	ACX	5,588,009	12/1996	Will			
	ACY	5,598,536	1/1997	Slaughter, III et al.			
	ACZ	5,604,491	2/1997	Coonley et al.			
	ADA	5,627,829	5/1997	Gleason et al.			
	ADB	5,633,810	5/1997	Mandal et al.			
	ADD	5,705,995	1/1998	Lafin et al.			
	ADE	5,727,202	3/1998	Kucala			
	ADF	5,729,735	3/1998	Meyering			
	ADG	5,742,668	4/1998	Pepe et al.			
	ADH	5,742,905	4/1998	Pepe et al.			
	ADI	5,751,971	5/1998	Dobbins et al.			
	ADJ	5,757,901	5/1998	Hiroshige			
	ADK	5,761,416	6/1998	Mandal et al.			
	ADL	5,765,170	6/1998	Morikawa			
	ADM	5,781,901	7/1998	Kuzma			
	ADN	5,790,790	8/1998	Smith et al.			
	ADP	5,796,806	8/1998	Birckbichler			
	ADQ	5,812,819	9/1998	Rodwin et al.			
	ADR	5,813,016	9/1998	Sumimoto			
	ADS	5,815,081	9/1998	Motohashi			
	ADT	5,826,062	10/1998	Fake, Jr. et al.			
	ADU	5,831,664	11/1998	Wharton et al.			
	ADV	5,838,926	11/1998	Yamagishi			
	ADW	5,850,219	12/1998	Kumomura			
	ADX	5,867,660	2/1999	Schmidt et al.			
	ADY	5,878,434	3/1999	Draper et al.			
	ADZ	5,900,875	5/1999	Haitani et al.			
	AEA	5,903,723	5/1999	Beck et al.			



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SERIAL NO.

09/645,832

## LIST OF REFERENCES CITED BY APPLICANT

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ADLER Alfred et al.

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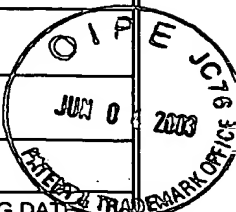
August 25, 2005

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	AEB	5,913,040	6/1999	Rakavy et al.			
	AEC	5,928,329	7/1999	Clark et al.			
	AED	5,953,322	9/1999	Kimball			
	AEE	5,959,621	9/1999	Nawaz et al.			
	AEF	5,969,636	10/1999	Parvulescu et al.			
	AEH	5,974,238	10/1999	Chase, Jr.			
	AEI	5,978,689	11/1999	Tuoriniemi et al.			
	AEJ	6,000,908	12/1999	Hawkins et al.			
	AEK	6,002,427	12/1999	Kipust			
	AEL	6,006,274	12/1999	Hawkins et al.			
	AEM	6,009,455	12/1999	Doyle			
	AEN	6/034,621	3/2000	Kaufman			
	AEO	6,053,735	4/2000	Buchanan et al.			
	AEP	6,058,431	5/2000	Srisuresh et al.			
	AEQ	6,078,826	6/2000	Croft et al.			
	AER	6,085,232	7/2000	Kikinis			
	AES	6,091,951	7/2000	Stumolo et al.			
	AET	6,092,114	7/2000	Shaffer et al.			
	AEU	6,092,191	7/2000	Shimbo et al.			
	AEV	6,115,394	9/2000	Balachandran et al.			
	AEW	6,115,736	9/2000	Devarakonda et al.			
	AEX	6,125,281	9/2000	Wells et al.			
	AEY	6,125,369	9/2000	Wu et al.			
	AEZ	6,130,892	10/2000	Short et al.			
	AFA	6,141,690	10/2000	Weiman			
	AFB	6,157,318	12/2000	Minata			
	AFC	6,157,630	12/2000	Adler et al.			
	AFD	6,157,950	12/2000	Krishman			
	AFE	6,167,379	12/2000	Dean et al.			
	AFF	6,178,331	1/2001	Holmes et al.			
	AFG	6,205,448B1	3/2001	Kruglikov et al.			
	AFH	6,208,996B1	3/2001	Ben-Shachar et al.			
	AFI	6,240,088B1	5/2001	Gayton et al.			
	AFJ	6,249,820B1	6/2001	Dobbins et al.			
	AFK	6,256,666B1	7/2001	Singhal			
	AFL	6,272,545B1	8/2001	Flanagin et al.			
	AFM	6,275,848B1	8/2001	Arnold			
	AFN	6,275,850B1	8/2001	Beyda et al.			
	AFO	6,311,282B1	10/2001	Nelson et al.			
	AFP	2001/0001552A1	5/2001	Vong et al.			
	AFQ	2001/0029531A1	10/2001	Ohta			
	AFR	2001/0040693A1	11/2001	Saito et al.			



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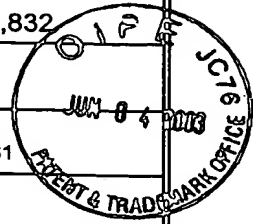
SHEET 5 OF 8

Form PTO 1449  
(Modified)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.  
212533USSERIAL NO.  
09/645,832

## LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

ADLER Alfred et al

FILING DATE  
August 25, 2002GROUP  
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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AFS	2001/0042093A1	11/2001	Shirai et al.			
	AFT	2001/0054072A1	12/2001	Discolo et al.			
	AFU	5,764,639	6/1998	Staples et al.			
	AFV	5,973,612	10/1999	Deo et al.			
	AFW	6,185,603B1	2/2001	Henderson et al.			

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		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO
	AFX	0 772 327	5/1997	Europe	
	AFY	9 305155 A2	11/1997	Japan	
	AFZ	11 289346	10/1999	Japan	
	AGA	96/19064	6/1996	WO	
	AGB	97/32251	9/1997	WO	
	AGC	97/33421	9/1997	WO	
	AGD	97/41654	11/1997	WO	
	AGE	97/44942	11/1997	WO	
	AGF	98/23108	5/1998	WO	
	AGG	0617373 A2	9/1994	Europe	
	AGH	0736989 A2	10/1996	Europe	
	AGI	0777394 A1	6/1997	Europe	
	AGJ	0788287 A2	8/1997	Europe	
	AGK	0793387 A2	9/1997	Europe	
	AGL	0825788 A2	2/1998	Europe	
	AGM	0838774 A2	4/1998	Europe	
	AGN	0838934 A1	4/1998	Europe	
	AGO	0930766 A2	7/1999	Europe	
	AGP	11289346 A	10/1999	Japan	
	AGQ	97/26709 A1	7/1997	WO	
	AGR	97/27717 A1	7/1997	WO	
	AGS	98/00787 A1	1/1998	WO	
	AGT	98/21911 A1	5/1998	WO	
	AGU	98/48560 A1	10/1998	WO	
	AGV	99/19988 A2	4/1999	WO	
	AGW	99/45484 A1	9/1999	WO	
	AGX	99/48312 A1	9/1999	WO	
	AGY	99/50974 A1	10/1999	WO	
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## LIST OF REFERENCES CITED BY APPLICANT

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ADLER Alfred et al

FILING DATE

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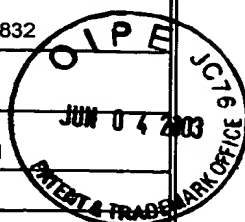
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Examiner

Jason D. Gordon

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